

Remark

Applicants respectfully request reconsideration of this application as amended. Claims 9, 10 and 12-16 have been amended. Claims 3, 11 and 19 have been cancelled. Therefore, claims 1, 2, 4-10, 12-18 and 20-25 are present for examination.

35 U.S.C. §101 Rejection

The Examiner has rejected claims 9-16 under 35 U.S.C. §101. These claims have been amended. The Examiner has suggested that Claim 9 be directed to instructions executed by a computer. Applicants have instead phrased Claim 9 in terms of a machine with a processor. A preferred embodiment of the present invention is a set-top box. While a computer may be used as a set-top box, many set-top boxes are in the form of dedicated devices with embedded software. These machines have processors that execute instructions and some resemble desktop computer workstations very closely, however, they may not be considered by some to be computers in the strictest sense. Accordingly, the present phraseology is preferred.

35 U.S.C. §103 Rejection

Schein in view of Girard, Reimer and Legall

The Examiner has rejected claims 1-2, 4-10, 12-18 and 20-25 under 35 U.S.C. §103(a) as being unpatentable over Schein, U.S. Patent No. 6,701, 527 ("Schein"), Girard U.S. Patent No 5,751,282 ("Girard"), Reimer, U.S. Patent No 5,559,949 ("Reimer"), and Legall, U.S. Patent No. 6,005,565 ("Legall").

For Schein, Applicants respectfully submit that USPN 6,701,527 is not prior art. Applicants will instead rely upon USPN 5,801,787 which might qualify as prior art under

§102(e). This patent is referred to in the cited reference. Schein simply shows a program guide in which the different show times and channels for "Gone with the Wind" are listed on a single user display screen.

Girard simply shows in Figure 4 that there is information in a SQL database indicating "Stereo Yes." This is not described, but the patent mentions that "secondary program descriptive information, such as closed caption, stereo, etc" may be in the program tile 52 (3:47), or text description window 56 (4:6) of Figure 2.

Reimer in the cited section would appear to be suggesting that a person can go to a video store and rent the director's cut version. This would require that it be in stock and clearly marked on the package.

Legall offers a search and as the Examiner explains, the result set of information that meets the filter requirements is displayed or highlighted. The Examiner is alternately referred to Col. 4, lines 53-55 in which areas of the EPG corresponding to programs that meet the search criteria are highlighted by a different color.

In sum, the Examiner has shown that programs may have different characteristics and even the same program may be available, at least from a video store, in a director's cut. In addition to that, a search engine can find a program based on a search and highlight the found program.

As far as the present claims are concerned, the references accordingly all reflect the conventional approach in the art. There are two important actions in this conventional approach. First, to find the program (Legall), and then to display information about it (Schein, Girard). The claimed invention takes this conventional approach a step further.

Claim 1, for example, recites “identifying the differences in characteristics between the multiple versions [of a program]; and ... highlighting the differences in characteristics between the multiple versions to a user.”

First of all, the references neither suggest identifying differences between multiple versions, nor highlighting them.

It may be possible to manipulate Legall to produce such a result. Perhaps, a user could first search for Jumanji and then within those results search for high definition, however, it is not clear how the user interface would operate under those circumstances. The user would have to guess what the key different characteristics might be and then try that in a search. It may be that all the versions are in high definition but they differ in their audio characteristics. Seeing no difference, the user would either be misled or have to try a different search. This process is not only inconvenient, but there is no suggestion of doing such a thing in Legall.

Legall talks at best about highlighting different programs that match the search and nothing about searching for video and audio characteristics of one particular program. Applicants are unable to find any suggestion in any of the references that audio and video characteristics can be searched at all. The references are concerned only about, finding a program and then displaying information.

Absent any suggestion of the present invention, the rejection of Claim 1 is respectfully traversed. The remaining claims are believed to be allowable on similar grounds, among others.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

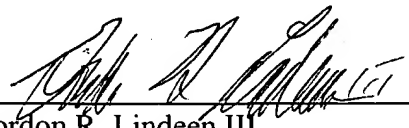
Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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Date: November 16, 2006



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